



**Regulatory Docket Number: FAA-2009-**

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May 13, 2009

U.S. Department of Transportation  
Docket Operations, West Building Ground, Room W12-140  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Submitted via the Docket Management System

Dear Sir or Madam:

Jet Select, LLC, Air Carrier Certificate Number U5QA550L is requesting exemption from the requirements of 14 CFR 43.3 (g) relating to performing preventive maintenance. The primary contact in this matter is:

Marv Stein  
Executive Vice President- Operations  
JetSelect, LLC.  
4130 East Fifth Ave  
Columbus, OH 43219  
(614) 338-4383  
[mstein@jetselect.net](mailto:mstein@jetselect.net)

#### **PETITION FOR EXEMPTION**

This Petition for Exemption ("Petition") is submitted in accordance with 14 CFR 11 and seeks permanent relief from certain rules issued by the FAA, governing who may perform preventive maintenance as a 14 CFR 135 air carrier operator.

#### **SCOPE**

This petition request applies to all Bombardier Learjet 60 aircraft operated by Jet Select, LLC.

#### **RELIEF REQUESTED**

14 CFR 43.3 (g) states: The holder of a pilot certificate issued under Part 61 may perform preventive maintenance on any aircraft owned or operated by that pilot which is not used under Part 121, 129, or 135.



## **RELIEF REQUESTED (Continued)**

Jet Select requests relief consistent with 14 CFR part 43.3 (g) as it applies to a pilot certificate issued under Part 61 who may perform preventive maintenance on any aircraft owned or operated under 14 CFR part 91. More specifically, to allow the holder of such pilot certificate to perform daily landing gear tire pressure checks on the Learjet 60 aircraft while being operated under 14 CFR 135.

## **RATIONALE**

The restrictions in 43.3 limiting the pilot from performing a task of daily tire pressure checks while operating under 135 on the Learjet 60 aircraft does not appear to be supported by a recognizable safety argument. This same action is deemed acceptable while operating under part 91. (Chief Counsel Opinion February 26, 2009)

An equivalent level of safety can be achieved by utilizing a qualified and trained pilot who is familiar with the Learjet 60 aircraft to perform this check with a calibrated gauge. The fact the individual holds a pilot or mechanic certificate issued under part 61 does not appear to make a significant impact on performing this task do to the simplistic and small subset necessary in checking the tire pressure.

Jet Select has put in place a comprehensive training program for checking the tire pressures as outlined in chapter twelve of the Learjet 60 maintenance manual. This provides adequate training of persons who hold a pilot certificate with a type rating in the Learjet 60 to perform the daily tire pressure check under this requested exemption.

## **PUBLIC INTEREST**

The fact that a part 135 operator must have a mechanic to perform the simple task of the daily tire pressure checks on the Learjet 60 aircraft creates the possibility of lost revenue and inconvenience for the passengers. If the aircraft is in a remote location where a mechanic may not be readily available this could result in a delay or canceling of the flight.

## **EQUIVALENT SAFETY**

The restrictions in part 43 that limit persons operating the Learjet 60 model airplane under 135 by the requirement that only a certified mechanic may check the tire pressure would not be compromised under our FAA approved training program which would be monitored at the local level by the PMI and POI of the certificate holder. This program would ensure that each pilot who was performing this check would hold a valid ATP certificate along with a type rating in the Learjet 60 aircraft, in addition to training twice a year on the proper procedures for conducting the daily tire pressure checks.



#### **EQUIVALENT SAFETY (Continued)**

Jet Select is a sophisticated air carrier who operates a large fleet of Bombardier products worldwide, including eight Learjet 60 aircraft. Jet Select is recognized as an ARG/US Platinum Rated Company who conducts "industry best practices" operations. Granting this exemption request will not decrease safety. By contrast, it promotes an effective and efficient way to ensure the safety of the traveling public.

Please do not hesitate to call if I may provide additional information or be of assistance.

Respectfully,

A handwritten signature in dark ink, appearing to read "Marv Stein". The signature is stylized with a large, sweeping "M" and a cursive "S".

Marv Stein  
Executive Vice President-Operations  
Jet Select, LLC.